

Defendants 6913 Valencia LLC, Elizabeth Hazan and Sean
Meehan's Opposition Response to Motion for Remand Case No.
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

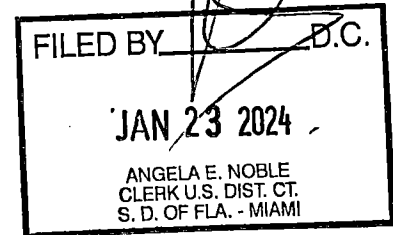
CASE NO. 1:23-cv-24780-GAYLES

VALENCIA ESTATES HOMEOWNERS'
ASSOCIATION, INC., a Florida
not-for-profit corporation,

Plaintiff,

vs.

ELIZABETH HAZAN, et al.,
Defendants.



**DEFENDANTS 6913 VALENCIA DRIVE LLC, SEAN MEEHAN AND
ELIZABETH HAZAN'S OPPOSITION RESPONSE TO MOTION TO REMAND TO
STATE COURT ECF NO. 11**

Defendants Elizabeth Hazan, ("Hazan") and Sean Meehan ("Meehan"), Pro Se Defendants, and 6913 Valencia LLC (collectively called "Defendants"), file this Opposition Response to Plaintiff VALENCIA ESTATES HOMEOWNERS' ASSOCIATION (the "Association" or "Plaintiff"), Motion to Remand and Plaintiff's request for costs and expenses, including reasonable attorneys' fees, incurred as a result of the removal pursuant to 28 U.S.C. § 1447(c); [ECF No. 11] (the "Motion") filed on January 9, 2024, and respectfully state:

INTRODUCTION

1. The thrust of the Motion is that Defendants' Removal was untimely which is demonstrably false. This opposition will show that Defendants could not remove the action to foreclose on an alleged \$62,000 lien as the amount of controversy was lower than the required minimum amount of \$75,000. Defendants could not meet the jurisdictional requirement of the \$75,000 amount in controversy nor could it show the relation to a pending case under Title 11. Now Defendants can do both as described below. Moreover, Defendant Meehan moved back to New York after his divorce with Hazan and the filing of the state court action.

FACTUAL BACKGROUND

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2. On January 11, 2016, the Defendant Elizabeth Hazan, declared bankruptcy to stop a foreclosure sale. The Final Judgment entered in an adversary proceeding in the bankruptcy case was pending appeal before this Court under case numbers 17-cv-24127-DPG and 18-cv-22564- DPG and which appeals were ultimately resolved in favor of Ms. Hazan.

3. The outstanding alleged balance sought by Plaintiff pursuant to the Foreclosure Action exceeds \$75000 at this time.

4. Hazan and Meehan divorced after the filing of the state court case and Meehan is no longer a permanent resident of Hazan's residence. Meehan is now a resident of the State of New York. Meehan was also born and raised in New York. There is now complete Diversify of Citizenship.

5. Plaintiff is seeking to do an end run around this Court as Meehan and his wife know that this Court is presiding over the appeals related to the chapter 11 of Liza Hazan related to Hazan and her multi-million Fisher Island Mansion. Hazan has successfully reorganized her chapter 11 and her plan and her adversary cases have all been resolved in Hazan's favor.

MEMORANDUM OF LAW
There is a Complete Diversity of Citizenship

6. Sean Meehan is born and raised in New York and has moved back to the State of New York. Meehan is a resident of New York. Sean Meehan is therefore a citizen of New York. *See* 28 U.S.C. § 1332(c)(1).

7. 6913 Valencia LLC's principal is a resident of Canada. 6913 Valencia LLC is therefore a citizen of Canada. *See* 28 U.S.C. § 1332(c)(1).

8. Hazan is a resident of the State of Florida.

The Amount in Controversy Exceeds \$75,000

9. Plaintiff's motion is seeking a Foreclosure Judgment which now exceeds \$75,000. As such, the controversy exceeds \$75,000.

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This Proceeding is Related to a Case Arising Under Title 11

10. This proceeding is related to a bankruptcy case Chapter 11 case 16-10389-AJC.
11. This Court has jurisdiction over the original proceedings pursuant to 28 U.S.C. § 1334(b).
12. The State Court Litigation is proceeding in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County. Because that court is located within the District and Division in which this Court sits, venue is proper pursuant to 28 U.S.C. § 1441(a) and 28 U.S.C. § 1391(b)(2).

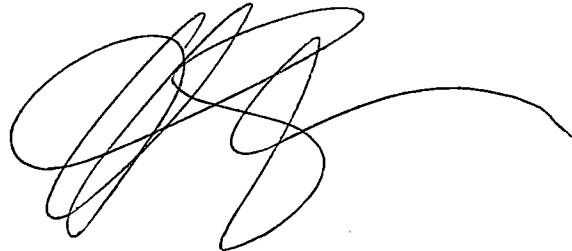
WHEREFORE, for the reasons set forth above, Defendants respectfully request that the Court deny Plaintiff's Motion for Remand and Plaintiff's request for costs and expenses, including reasonable attorneys' fees, incurred as a result of the removal pursuant to 28 U.S.C. § 1447(c) [ECF No. 11] (the "Motion") filed on January 9, 2024, and grant such other and further relief as the Court deems appropriate.

January 23, 2024

Respectfully submitted,

Elizabeth Hazan

By: /s/ Liza Hazan
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Miami Florida 33109
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Pro se Defendant



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Sean Meehan

By: /s/ Sean Meehan
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305-487-3580
Pro se Defendant

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I filed the foregoing with the Clerk of the Court and a true and correct copy of foregoing was served via U.S. mail or email or ECF system to the parties on the attached service list as indicated on this 23rd day of January, 2024.

Respectfully submitted,

Elizabeth Hazan

By: /s/ Liza Hazan
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212-920-46605
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Pro se Defendant



Sean Meehan

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SERVICE LIST

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